

## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.06 Q, Closed Area No. 22-B, Sawyer Island, Hodgdon Island, Merrow Island and adjacent shores, Boothbay, promulgated on September 21, 2000, is repealed and replaced with the following rule:

TEXT OF RULE: 95.06 Q, Closed Area No. 22-B, Hodgdon Island Area, Boothbay.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Sheepscot River, Boothbay, inside the following lines: (1) a line beginning at the south end of Sawyer Island extending southeast along the bridge (culvert) to the mainland, then extending northwest to the north tip of Indiantown Island, then extending west to the north tip of Isle of Springs, then extending north to the south tip of Barters Island; AND (2) a line beginning at the southwest tip of land at the end of Crow Point Road, Barters Island, extending southeast to the north end on Hodgdon Island, locally known as Poverty Point; AND (3) a line following the bridge from Sawyers Island to Hodgdon Island.
2. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Back River, Boothbay, north of the causeway from the Boothbay mainland to Merrow Island (also known as Pine Island and Holiday Island); AND south a line beginning at an unnamed point of land at the south end of Tamarack Trail (approx. 100 yards north of the causeway to Merrow Island) and running due west to a red painted post on Merrow Island.
3. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Barters Island, Boothbay, inside of a line beginning at the point of land at the end of Tri Cove Road and running southwest (approx. 350 yards) to the northwest end of the large dock on the south side of the cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: June 17, 2004

AGENCY CONTACT PERSON: Amy M. Fitzpatrick  
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194 McKown Point Road  
West Boothbay Harbor, ME 04575

PORTLAND PRESS HERALD  
June 19, 2004

### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.06 Q, Closed Area No. 22-B, Sawyer Island, Hodgdon Island, Merrow Island and adjacent shores, Boothbay, promulgated on September 21, 2000, and enacts a new regulation. This new regulation closes the small cove south of Tri Cove Road on the east side of Barters Island due to a failing septic system.

DMR personnel have determined that the remaining closed areas are closed due to the presence of licensed overboard discharges, which pose a threat to public health.

  
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DAVID ETNER  
DEPUTY COMMISSIONER





# Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area


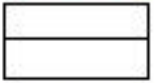

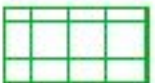
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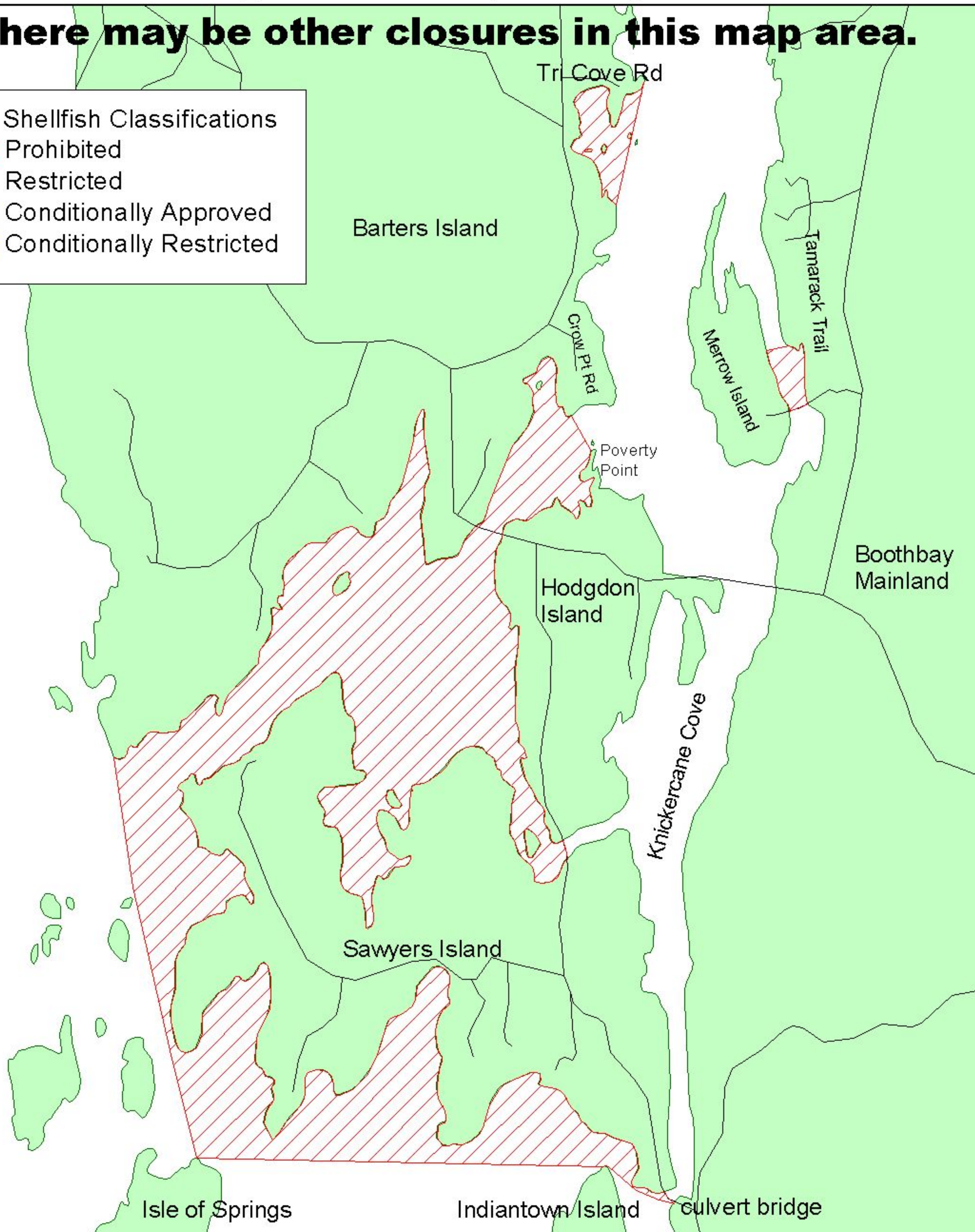


## C22B Hodgdon Island Area, Boothbay

**There may be other closures in this map area.**

### 2004 Shellfish Classifications

-  Prohibited
-  Restricted
-  Conditionally Approved
-  Conditionally Restricted



0.3 0 0.3 0.6 Miles